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17 March 1999

The Honorable William Kennard  
Chairman, Federal Communications Commission  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Mr. Chairman,

I am writing to express my deep concern about the Notice of Proposed Rulemaking that the FCC has begun on the issue of Low-Power FM, known as microradio.

My opposition stems from two concerns: 1. is it technically feasible? and, 2. is it good public policy?

The answer to both questions is clearly, "No." Therefore the FCC should drop this plan.

One of the major tasks with which the FCC is charged is to ensure that broadcast services exist in as interference-free an environment as possible, not just for broadcasters, but for the listening public, as well. Yet as I view this issue, it seems that, far from protecting this interference-free environment, the Commission is attacking it, seeking to create interference thru its own proposal. Nor does there appear to be any benefit to public policy through establishment of microradio.

The Commission's own rule-making makes clear that only by reducing second- and third-channel interference protections can these microradio stations be established. These interference protections make the current FM band listenable.

How does public policy benefit, and how will listeners benefit by a forced government reduction in quality on a product? The transition to digital radio broadcasting is on the horizon. That transition is likely to include digital signals embedded in analog signals within the same band and channel. While the implementation of digital radio broadcasting promises improved clarity and service to the public, it's obvious to even the most uninformed that the creation of microradio stations has the potential to seriously impair the expected benefits of digital radio broadcasting.

Besides, if under-served segments of the population want radio station ownership, why is the Commission not ensuring that the current listing of available licenses is fully utilized? And from what I understand about low-power microradio stations, who would want to own one? It would be impossible to sell advertising, because they'd never be able to draw enough listeners to pay the bills! Microradio appears to be an ill-considered, pre-mature leap.

Government is often accused of proposing rules and legislation without considering long- and sometimes even short-term effects. At first glance, the proposed rule might be just another example. But, on further examination, microradio is much more insidious.

This appears to be a case of blatant manipulation of the Commission and its rule-making capacity. Such manipulation to create ownership opportunities for the benefit of certain "Minorities" and to legitimize "pirate radio stations" is clearly a violation of law in letter and spirit, namely the Telecommunications Act of 1996 and the Balanced Budget Act of 1997.

While the Administration contends that the purpose of government is the re-distribution of wealth, this clear policy choice to bring about that end is a mistake, an error, it is wrong, and I believe it is un-Constitutional.

The bottom line is, microradio is technically unfeasible, doesn't serve the public interest, and won't make money for its owners, anyway!

Put microradio on the back-burner, turn the burner up full, and incinerate this technically unfeasible, politically-inspired public policy mistake.

Thank you for your consideration.

Rob Bigalke, Station Manager

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